IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7190 OF 2003

Unnat Nagar Part-3 Co-operative
Housing Society Ltd. .. Petitioner
Vs.
Jitendra Palam Chheda & Ors. .. Respondents.

Mr.Nitin Mhatre for the petitioner.
Mr.J.P.Dubey for respondent no.1.
Mr.M.H.Solkar A.G.P. for respondent nos.2 to 4.

CORAM : D.B.BHOSALE, J.

DATED : 23RD FEBRUARY, 2005

P.C.:

. Heard Mr.Mhatre, learned counsel for the petitioner, Mr.Dubey, learned counsel for respondent no.1 and Mr.Solkar, learned A.G.P. for respondent nos.2 to 4.

2. Mr.Mhatre, learned counsel for the petitioner-society prays for withdrawal of this petition with liberty to the petitioner to adopt appropriate proceedings against respondent no.1, who is using the tenement for commercial purpose. The writ petition is allowed to be withdrawn. It is open for the petitioner to approach appropriate forum for getting the permission granted by the MHADA to use the tenement in dispute for

commercial purpose cancelled. It is needless to express that the use of tenement for commercial purpose would be subject to outcome of the proceedings that would be filed by the petitioner. If such proceedings are initiated same may be considered in accordance with law. The writ petition is disposed of. Certified copy expedited.

(D.B.Bhosale, J.)